

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ORIGINAL

BRETT T. CULVER

Plaintiff,

v.

VINCENT MOONEY,  
et al.,

Defendants.

PLAINTIFF'S  
FIRST SET OF  
INTERROGATORIESCase No. 1:01-cv-00904

(Judge Kane)

FILED  
HARRISBURG

OCT 25 2001

MARY E. D'ANDREA, CLERK  
Per. AM  
DEPUTY CLERK

28

10/26/01  
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In accordance with Rule 33 of the Federal Rules of Civil Procedure, Plaintiff requests that Defendant Vincent Mooney answer the following interrogatories separately and fully in writing under oath, and that the answers be signed by the person making them and be served on plaintiff within 45 days of service hereof.

In responding to these interrogatories, furnish all information which is available to you, including information in the possession of your attorneys or investigators for your attorneys, and not merely information known of your own personal knowledge.

If you cannot answer the following interrogatories in full, after exercising due diligence to secure the information to do so, so state, and answer to the extent possible, specifying your inability to answer the remainder, and stating whatever information or knowledge you have concerning the unanswered portions.

These interrogatories shall be deemed continuing, so as to require supplemental answers as new and different information materializes.

1. What is your full name and address?
2. Have you been employed as a Department of Corrections employee during the time period of December 1, 1999 through October of 2001?
3. On the following dates of September 5, 2000 through September 22, 2000 were you on duty as an employee of the D.O.C. at the State Correctional Institution at Mahanoy?
4. If yes,
  - (a) Cite each day you reported for duties at the facility.
  - (b) At what time of the day did you go on duty each day present?
  - (c) At what time of the day did you go off duty each day present?
5. During your employ at the State Correctional Institution at Mahanoy have you ever received or reviewed any reports/complaints/correspondence from the plaintiff or any other persons relevant or related to any situations/element mentioned or out-lined in this Action 1:01-cv-00904 ?

6. If yes,
  - (a) Cite dates of notices/correspondence's/reports to your authority by plaintiff or others including the subject matter of each submitted notice to your authority;
  - (b) Cite your response and action taken on issues of notification to your authority and on what dates;
  - (c) Cite any resolution or relief established by your authority for plaintiff with dates of action taken on any issue presented to your attention and authority.
7. At any time during the time period of September 5, 2000 through September 22, 2000 did you at any time (working hours/non-working hours) speak with or communicate with defendant Kevin Kane concerning the plaintiff, conferring/implying any thought or statement to defendant Kevin Kane?
8. If yes, relate dates and subject matter of any communication you had with defendant Kevin Kane concerning plaintiff.
9. At any time during your employ by the Department of Corrections have you ever been cited, reprimanded, or re-assigned via reports/complaints filed on your person by incarcerated persons subjugated to your authority/treatment? (alleged or confirmed)
10. If yes, cite dates and describe what you were cited/reported for.
11. During your term of employment at the State Correctional Institution at Mahanoy have you ever received communications of orders/advice/recommendations from any affiliate official personnel or official authority of the Department of Corrections pertaining to the plaintiff on any related subject matter during plaintiff's detainment at the State Correctional Institution at Mahanoy?
12. If yes,
  - (a) Cite name and title of correspondent;
  - (b) Cite date and subject matter of each correspondence;
  - (c) Produce any record documentation of any information received pertaining to plaintiff.
13. During your term of employment at the State Correctional Institution at Mahanoy have any other employees under your administrative authority prepared and/or filed into record any reports/statements/recommendations/evaluations on the plaintiff 12-01-99 through October 19, 2001?
14. If yes,
  - (a) State the name, badge or identification number, and present address of the person or persons who prepared each such report;
  - (b) The name, badge or identification number, and present address of the person for whom each such report was prepared;
  - (c) The date, time, and place where each report was prepared;

13. Have you ever reviewed or had knowledge of any video monitoring taping of the day events and security monitoring of L-5 unit D-Pod on October 13, 2000?
14. Have you at any time referred to or mentioned any recorded security tape of the day October 13, 2000 or have you had any involvement with decisions concerning the record or storage of that days video security tapes?
15. If yes,
  - (a) Describe any action or involvement you had concerning the record and storage of security monitoring video tapes of October 13, 2000 (L-5 unit D-Pod);
  - (b) Cite any persons involved or knowledgeable of video monitoring tapes for the day of October 13, 2000 (L-5 unit D-Pod).
16. Was your authority or office notified by any other persons or official authorities to retain or discard any video security taping's for the date of 10-13-00 ?
17. If yes, cite name, title, and badge or identification number, and present address of any persons involved or implicated related to action or care of any video monitoring security taping's for the day of October 13, 2000 L-5 unit D-Pod.
18. Disclose all L-5 unit D-Pod security video taping's for the day of 10-13-00.
19. State the name and address or otherwise identify and locate any persons who, to your knowledge, or to the knowledge of your agents or attorneys, purport to have knowledge of facts relevant to the issues or conduct described in these interrogatories.
20. Do you, your attorneys, or any other persons employed by the D.O.C., have possession or know of the existence of any books, records, reports made in the ordinary course of business, other printed or documentary material, or photographs, drawings, video, or documents, or other tangible objects that are relevant to the conduct described in these interrogatories?
21. If yes, state:
  - (a) The name and description of each item;
  - (b) The name and address of each person who made, prepared or took such item;
  - (c) The name and address of the present custodian of each such item;
  - (d) The date, time and place where each such item was made, prepared or taken;
  - (e) The method by and purpose for which each such item was made, prepared or taken;
  - (f) The manner in which each item is relevant to the issues or conduct described in these interrogatories.
22. Do you, any other employees, your attorneys have knowledge of any item mentioned there being altered in any manner, lost or destroyed?
22. If yes,
  - (a) Explain;
  - (b) Cite instances, items, dates;
  - (c) Cite names/addresses of persons involved or have knowledge of relevant events.

10-23-01

Brett T. Culver

Date

by

PROOF OF SERVICE

I, the undersigned, hereby aver that I have served the foregoing; "Plaintiff's First Set of Interrogatories" to be served upon the defendants of Complaint, Case No. 1:01-cv-00904. The Interrogatories have been submitted to the U.S. District Court (Clerk of Courts), to record date and service upon the defendant; Vincent Mooney, in Case No. 1:01-cv-00904. Plaintiff now submits to the Clerk of Courts the Interrogatories in the manner indicated:

SERVED BY U.S. MAIL ADDRESSED AS FOLLOWS:

- (2) Copies (Vincent Mooney), one to be served upon defendant, and one for the Court record.

TO: U.S. DISTRICT COURT  
CLERK OF COURTS  
228 WALNUT STREET  
P.O. BOX 983  
HARRISBURG, PA. 17108

Served this 23 day of October, 2001

Brett T. Calk